

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) KATHRYN CARTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: CIV-15-988-D
	)	
(1) SAFECO INSURANCE COMPANY	)	
OF AMERICA,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL**

COMES NOW Defendant Safeco Insurance Company of America and pursuant to 28 U.S.C. § 1446 and Fed. R. Civ. P. 81(c) states:

1. The above entitled suit was filed in the District Court of Pottawatomie County, State of Oklahoma as Case No. CJ-2015-292 on August 21, 2015. Defendant Safeco Insurance Company of America was served through the office of the Oklahoma Insurance Commissioner on August 26, 2015. Receipt of service was the first notice Safeco Insurance Company of America received of this suit. In accordance with 28 U.S.C. §1446(a) and LCvR 81.2, a copy of the docket sheet and a copy of all documents filed or served in the Pottawatomie County case are attached to this Notice as Exhibits "1" through "2".

2. Plaintiff Kathryn Carter is a citizen of the State of Oklahoma and a resident of Pottawatomie County, Oklahoma.

3. Defendant Safeco is a corporation organized under the laws of the State of New Hampshire and for federal court jurisdiction/diversity of citizenship disclosure purposes, the

principal place of business is 175 Berkeley Street, Boston, Massachusetts; therefore Safeco is deemed to be a New Hampshire citizen for purposes of diversity.

4. Jurisdiction is conferred upon this Court pursuant to 28 U.S.C. § 1332. Removal is proper pursuant to 28 U.S.C. §1441, et seq.

5. In this case, Plaintiff brings causes of action for breach of an insurance contract and bad faith against Safeco Insurance Company of America, arising from a motor vehicle accident.

6. The Petition alleges that Plaintiff, is entitled to damages from Safeco in “an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00).” Thus, the amount in controversy exceeds the amount which is required for diversity jurisdiction.

7. Pursuant to 28 U.S.C. § 1332(a)(1), this Court has jurisdiction because of the complete diversity of citizenship of the parties and there is a sufficient amount in controversy.

8. Pursuant to 28 U.S.C. § 1446(a), Defendant acknowledges that this Notice of Removal is signed and filed pursuant to Rule 11 of the Federal Rules of Civil Procedure.

WHEREFORE, Defendant, Safeco Insurance Company of America requests this Notice of Removal be accepted by this Court and that the lawsuit proceed as an action properly removed to this Court’s jurisdiction.

Respectfully submitted,

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*Safeco Insurance Company of America*

**CERTIFICATE OF SERVICE**

X I hereby certify that on September 10, 2015, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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